

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS WEEKLEY :  
: :  
Plaintiffs, : :  
: No. 12-cv-2499 (JSR) (KMF)  
- against - :  
: :  
TALES FUND MANAGEMENT, LLC; TALES :  
FUND MANAGEMENT, LLC DEFERRED :  
COMPENSATION PLAN; MAREK FLUDZINSKI and :  
KEVIN ERSHOV :  
Defendants. :  
: :  
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**DECLARATION OF TAMMY P. BIEBER IN FURTHER SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT**

I, Tammy P. Bieber, am an attorney duly admitted to practice in the State of New York, hereby affirm under penalty of perjury, as follows:

1. I am a partner at the law firm of Tannenbaum Helpern Syracuse & Hirschtritt LLP, counsel for defendants Thales Fund Management, LLC, Thales Fund Management, LLC Deferred Compensation Plan, Marek Fludzinski and Kevin Ershov (collectively, "Defendants") in the above-captioned action. I submit this Declaration in support of Defendants' Reply Memorandum of Law in Support of Their Motion to Dismiss the Amended Complaint, which also applies to Plaintiff's Second Amended Complaint.
2. Annexed hereto as Exhibit A is a true and correct copy of a redlined draft of the Second Amended Complaint.
3. Annexed hereto as Exhibit B is a true and correct copy of a July 1, 2010 email from Jamin Koslow, Esq. to William Foster, Esq.
4. Annexed hereto as Exhibit C is a true and correct copy of plaintiff's employment

agreement with Thales Fund Management, LLC, referenced in ¶ 14 of the Second Amended Complaint.

Dated: New York, New York  
July 31, 2012

/s/ Tammy P. Bieber  
Tammy P. Bieber